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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8 SAN JOSE DIVISION

9 IN RE NEXTCARD, INC. SECURITIES  
10 LITIGATION

CV-01-21029-JF  
11 ORDER OF DISMISSAL

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15 The parties hereto, by their counsel, have advised the Court that they have agreed to a  
16 settlement of this case.

17 IT IS HEREBY ORDERED that this cause be dismissed with prejudice; however, that if  
18 any party hereto shall certify to this Court, within ninety days, with proof of service of a copy  
19 thereof, that the agreed consideration for said settlement has not been delivered over, the  
20 foregoing ORDER SHALL STAND VACATED and this cause shall forthwith be restored to the  
21 calendar to be set for trial.

22 Date: March 29, 2007

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24 JEREMY FOGEL  
United States District Judge  
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